

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 13-1405

ROSALINE KORNYA NYALLAY; VANDI NYALLAY,

Petitioners,

v.

ERIC H. HOLDER, JR., Attorney General,

Respondent.

On Petition for Review of an Order of the Board of Immigration Appeals.

Submitted: September 3, 2013

Decided: September 10, 2013

Before MOTZ, KING, and KEENAN, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Japheth N. Matemu, MATEMU LAW OFFICE P.C., Raleigh, North Carolina, for Petitioners. Stuart F. Delery, Acting Assistant Attorney General, David V. Bernal, Assistant Director, Anthony C. Payne, Senior Litigation Counsel, Office of Immigration Litigation, UNITED STATES DEPARTMENT OF JUSTICE, Washington, D.C., for Respondent.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Vandi Nyallay ("Nyallay") and Rosaline Kornya Nyallay ("Rosaline"), natives and citizens of Sierra Leone, petition for review of an order of the Board of Immigration Appeals ("Board") dismissing their appeal from the immigration judge's order finding that they were inadmissible at the time of entry or adjustment of status and that they were present in the United States in violation of the law. See 8 U.S.C. § 1227(a)(1)(A), (B) (2006). We deny the petition for review.

We conclude that there is no merit to the Petitioners' contention that the immigration judge was without authority to find them inadmissible without first revoking their status that permitted them to stay in the country. See, e.g., Asika v. Ashcroft, 362 F.3d 264, 269 (2004).

Insofar as the Petitioners challenge some of the evidence used by the immigration judge to find that they were inadmissible, we have thoroughly reviewed the record, including the transcript of the merits hearing and the supporting evidence, and conclude that the record evidence does not compel a ruling contrary to any of the administrative findings of fact, see 8 U.S.C. § 1252(b)(4)(B) (2006), and that substantial evidence supports the Board's decision. See INS v. Elias-Zacarias, 502 U.S. 478, 481 (1992).

Accordingly, we deny the petition for review. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

PETITION DENIED